

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

TENNESSEE STATE CONFERENCE OF  
THE N.A.A.C.P., DEMOCRACY  
NASHVILLE-DEMOCRATIC  
COMMUNITIES, THE EQUITY ALLIANCE,  
and THE ANDREW GOODMAN  
FOUNDATION,

Plaintiffs,

v.

TRE HARGETT, in his official capacity as  
Secretary of State of the State of Tennessee,  
MARK GOINS, in his official capacity as  
Coordinator of Elections for the State of  
Tennessee, HERBERT SLATERY III, in his  
official capacity as Attorney General of the  
State of Tennessee, the STATE ELECTION  
COMMISSION, and DONNA BARRETT,  
JUDY BLACKBURN, GREG DUCKETT,  
MIKE MCDONALD, JIMMY WALLACE,  
TOM WHEELER, and KENT YOUNCE, in  
their official capacities as members of the State  
Election Commission,

Defendants.

Case No. 3:19-cv-00365  
Judge Aleta A. Trauger

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE EXCESS PAGES IN THEIR  
MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS' MOTION FOR  
PRELIMINARY INJUNCTION**

As the Court is aware, in this action Plaintiffs are challenging the constitutionality of a new Tennessee law, Public Chapter 250 (the "Law"), which imposes severe restrictions on organizations seeking to conduct voter registration drives. The Law is scheduled to take effect on October 1, 2019, and Plaintiffs are planning to file a motion for a preliminary injunction to enjoin the key provisions

of the Law before they go into effect. Plaintiffs are planning to file their motion for a preliminary injunction as soon as this coming Friday, August 16, 2019.

Pursuant to this Court's Practice and Procedures Manual concerning pretrial briefs in civil cases, Plaintiffs' memorandum of law in support of their motion for a preliminary injunction would ordinarily be limited to 20 pages. Plaintiffs respectfully submit this Motion for Leave to File Excess Pages to seek leave of Court to file a memorandum of law of no more than 40 pages in support of their planned motion for a preliminary injunction. Plaintiffs respectfully submit that there is good cause for the requested expansion of the page limits, as set forth below:

In their motion for a preliminary injunction, Plaintiffs will ask that this Court enjoin the implementation of the key provisions of the Law, to be codified as Sections 2-2-142, 2-2-143, 2-19-145 of the Tennessee Code, which impose severe civil and criminal penalties on voter registration activity. In order to prove their right to the relief sought, Plaintiffs will have to show their likelihood of success on the merits on numerous critically important issues, including their standing, the unconstitutional vagueness of the challenged provisions, the burden they impose on First Amendment free speech and associational rights pertaining to voter registration activities, and the unconstitutionality of the compelled disclaimer requirement in the Law. Plaintiffs will also have to show that they will be immediately and irreparably injured if an injunction does not issue, and that the balance of the equities and the public interest favors the relief requested. These issues are fact-intensive and require discussion of the many ways that the Law impedes the four Plaintiffs' constitutionally-protected conduct.

Plaintiffs therefore request leave to file a memorandum of law in support of their motion for a preliminary injunction of not more than 40 pages, excluding the case caption, signature lines, and certificate of service, as per Middle District of Tennessee Local Rule 7.03(a).

Based on the foregoing, Plaintiffs request that the Court grant the relief requested. Plaintiffs have submitted a Proposed Order contemporaneously herewith as Exhibit A.

August 14, 2019

Respectfully submitted,

/s/ Taylor A. Cates

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Democratic Communities, the Equity  
Alliance, and the Andrew Goodman  
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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of Plaintiffs' Memorandum of Law in Opposition to Defendants' Motion to Dismiss has been served via the Court's electronic case filing system to:

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on this 14th day of August, 2019.

/s/ Taylor A. Cates  
TAYLOR A. CATES

### **CERTIFICATE OF CONSULTATION**

The undersigned hereby certifies that opposing counsel was consulted via email regarding the relief requested herein on August 14, 2019. Opposing counsel indicated that there was no objection.

/s/ Taylor A. Cates

Taylor A. Cates